

RESOLUTION NO. 2007-23 (Cobblestone Lane Subdivision)

A RESOLUTION, granting preliminary approval of "Cobblestone Lane Subdivision and Planned Development".

WHEREAS, the Wenatchee Planning Commission held an open record hearing on July 19, 2006 at the hour of 5:30 p.m. for the purpose of taking public testimony regarding an application for a major subdivision and planned development; and

WHEREAS, at the conclusion of the open record hearing on July 19, 2006, the Wenatchee Planning Commission voted to recommend denial of the application.

WHEREAS, the applicant appealed the Planning Commission recommendation to the City Council; and

WHEREAS, the City Council held a closed record hearing on the matter at its regularly scheduled meeting of August 10, 2006; and

WHEREAS, at the conclusion of the closed record hearing on August 20, 2006, the Council voted to approve Resolution 2006-33 denying the subdivision; and

WHEREAS, the applicant filed a Land Use Petition Act appeal with the Chelan County Superior Court on August 24, 2006; and

WHEREAS, the Court held a hearing on the appeal on December 15, 2006; and

WHEREAS, pursuant to a stipulation of the parties, the Court entered an Order of Remand on February 15, 2007 remanding the matter to the City Council for a closed record hearing; and

WHEREAS, the Order of Remand authorized the applicant to supplement the record to include the following:

- a. To supply 30% design drawings and related materials to show how construction of retaining walls along the western and northern lots will be built;
- b. To supply instruction and details on the open space provided, lot set backs and street side parking within the planned development; and
- c. To supply information and details on design features such as fencing, entry gates and monuments, sidewalks, sidewalk benches and seating, and artwork or art features.

WHEREAS, the City Council held a closed record hearing pursuant to the Order of Remand at its regularly scheduled meeting of April 12, 2007; and

WHEREAS, at the conclusion of the closed record hearing the Council made the following findings of fact:

1. The subject property is located in the Residential Low Density R-1 zoning district within the City of Wenatchee.
2. A complete application was submitted in accordance with Wenatchee Zoning and Subdivision Ordinances, at least thirty (30) days prior to the Planning Commission hearing.

3. Appropriate notice of application and public hearing was sent in accordance with Wenatchee Subdivision Ordinance #3080 and Wenatchee Zoning Ordinance #3070.
4. The application represents a residential subdivision and planned development amendment resulting in approximately 8 units per net acre of land.
5. Consideration has been given to provisions for drainage, roads, alleys and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds, and other public and private facilities and improvements needed to serve the development.
6. The site plan with the imposition of conditions for final approval provides certain assurances of harmony with the surrounding area or its potential future uses.
7. A SEPA Checklist has been submitted with the application materials.
8. A portion of the subject property lies within the Erosion Hazard and Landslide Hazard areas as designated by the Resource Lands and Critical Areas Ordinance/Maps.

The Wenatchee Planning Commission is empowered by Ordinance #3070 and #3080 to hear Planned Development and Subdivision applications and forward its recommendations to the Wenatchee City Council.

WHEREAS, at the conclusion of the closed record hearing the Council made the following conclusions:

1. The subject application demonstrates consistency with the development standards and procedural requirements of Wenatchee Zoning and Subdivision Ordinances.
2. The application demonstrates consistency with the Wenatchee Urban Area Comprehensive Plan density standards of the R1 zone, including the density bonus allowed by planned development, with 9.1 units per net acre.

3. The application, as conditioned, demonstrates consistency with adopted levels of service for roads, utilities, fire protection facilities, schools and other public and private facilities needed to serve the development, with assurance of concurrency.
4. The application, as conditioned, demonstrates provisions for circulation, light, air, recreation, public space and service needs of the developed tract and its relation to adjacent areas.
5. With respect to the State Environmental Policy Act, of 1971, as amended, a detailed evaluation of the environmental implication of this project has been done. The evaluation resulted in a declaration of environmental non-significance being entered for the project on March 1, 2006. The findings and conclusions of this declaration process were provided to the Planning Commission and are hereby adopted by reference.
6. A critical areas report, submitted by Lakeside Engineering Company, dated January 17, 2006, remains timely and its recommendations adopted as conditions of the original planned development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF WENATCHEE** as follows:

SECTION I

The City Council of the City of Wenatchee does hereby adopt and incorporate the findings and conclusions set forth above into this Resolution.

SECTION II

Based upon the findings and conclusions set forth herein, and the closed record hearing held on April 12, 2007, the City Council of the City of Wenatchee does hereby approve the preliminary subdivision and planned development of the property described on

Exhibit "A" known as the "Cobblestone Lane Subdivision and Planned Development", subject to the following conditions:

1. That the final plat map and dedication sheet follow the format and contain all the information as required by Wenatchee Subdivision Ordinance #3080, Section 408.710 and 408.720.
2. That marketable title be provided to the City of Wenatchee for any right-of-way required to provide a half street dedication on both Maiden Lane and Western Avenue. An additional slope easement may be necessary to provide vision clearance at the southwest corner of the property.
3. That half street improvements be constructed along the Maiden Lane and Western Avenue frontage of the subject property designed in accordance with the requirements of the Department of Public Works. (See "Subdivision Referral" dated 2/10/06)
4. That the private road be constructed to meet the requirements of the Subdivision Ordinance #3080, Section 502.185.
5. That the private road be located so as not to intersect with Western Avenue on a slope greater than 10%.
6. That road design and sanitary sewer design meet the specifications of the Department of Public Works as noted in the "Subdivision Referral" from the Engineering Department, dated February 10, 2006.
7. That prior to work commencing, design plans completed by a registered professional engineer, be submitted to the Engineering Office detailing all public improvements along with site grading illustrating building pads and access to each building site. Grading shall be performed during construction to control storm water.

8. That a storm drainage report be submitted with the design plans detailing information as required by the "Subdivision Referral" dated 2/10/06.
9. That prior to final plat approval, the applicant provide the subdivision administrator with documentation that the Chelan County PUD has approved the water system design plans.
10. That prior to final plat approval the sewer frontage fees be paid to the Department of Public Works in the amount of \$13,443.00.
11. That prior to final plat approval, the applicant provide the subdivision administrator with documentation from the Wenatchee Reclamation District that the irrigation shares have been adequately segregated.
12. That fire hydrants be installed in locations and to the specifications of the Wenatchee Fire Marshall.
13. That prior to commencing work on the site, the applicant provide an engineered drawing detailing the excavation and retaining walls required for construction on Lots 1- 8. All work shall be appropriately permitted and detailed to meet the International Building Code and any other appropriate regulations. The plan shall include methods of ensuring stability of soils and erosion controls.
14. That any fencing included along the development's perimeter meet the fence height standards of the Wenatchee Zoning Ordinance #3070, Section VII/A/2/f.
15. That a Home Owners Association be created and vested with the responsibility for maintenance of the private road, the "Open Space Easement" including the trees and sidewalk, the "art spaces" and any other private or common amenities within the development. Documents shall be filed no later the filing of the final plat.

16. That any sign used to identify the development meet the height limits for fences if located within the required front yard setback.
17. That construction of the planned development proceed essentially as shown on the site plan entitled Cobblestone Planned Development, Preliminary Engineering Exhibit E2 by Torrence Engineering dated March 28, 2007 along with the Pacific Engineering & Design drawings entitled Foundation Plan and Section, dated March 29, 2007 and on file with the Dept. of Community Development.
18. That landscaping of the site proceed essentially as shown on the landscape plan entitled "Cobblestone Planned Development, Preliminary Landscape Exhibit" by EcoPlan – Design, dated February 2007. Landscaping shall be installed or bonded for as provided in WCC 10.44.070(3)(a) prior to final plat approval, including the siting of the benches and art features as described in the application materials.
19. That all recommendations and conclusions of the J.B. Hamilton Subsurface Site Investigation report dated February 20, 2007, pages 3 & 4 and on file at the Dept. of Community Development, shall be followed during the development of the site and construction of structures on the site.
20. That the Declaration of Open Space & Landscaping Easement be filed with the final plat.
21. That prior to final plat approval a title report submitted by a title insurance company, authorized to do business in the state of Washington, be provided to the subdivision administrator ensuring that title to the land is vested in the names of those whose signatures appear on the face of the plat.

PASSED BY THE CITY COUNCIL OF THE CITY OF

WENATCHEE, at a regular hearing thereof, this 12th day of April, 2007.

RESOLUTION NO. 2007-23

CITY OF WENATCHEE, a Municipal
Corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: 
VICKI REISTER, City Clerk

APPROVED:

By: _____
STEVE D. SMITH, City Attorney